IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

WP(C).No. 23897 of 2007(T)

PETITIONERS:
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1. TESSYMOLE, MULAVELIL, VENPALA P.O., THIRUVALLA.

2. SREE RAMAKRISHNAN, 210, ETHOTATHIL, NEDUMBRAM, THIRUVALLA.

3. SARADA, THEKKEKKOLATHU, ANJILATHANAM, KUNNATHANAM, MALLAPPALLY.

BY ADV. SRI.K.R.RADHAKRISHNAN NAIR

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY ITS SECRETARY, HEALTH AND FAMILY WELFARE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE CHAIRMAN, HOSPITAL DEVELOPMENT COMMITTEE, GOVERNMENT HOSPITAL, THIRUVALLA.

3. THE SECRETARY AND TREASURER, (SUPERINTENDENT), HOSPITAL DEVELOPMENT COMMITTEE, GOVERNMENT HOSPITAL, THIRUVALLA.

BY GOVERNMENT PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 23897 OF 2007
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Dated this the 8th day of August, 2007

J U D G M E N T

Petitioners were temporarily appointed by the 2nd and 3rd respondents. According to them, in violation of the guidelines, even before recruitment is made through Public Service Commission, their services are going to be dispensed with.

2. On instructions, learned Government Pleader submits that the petitioners were temporarily appointed by the Hospital Development Committee by issuing a notification in the newspapers and that they have no right to continue in service. It is also stated that the Committee has issued Ext.P4 advertisement in the newspaper for making fresh temporary appointments.

3. Whatever be the steps that are taken by the respondents, the fact remains that the petitioners

appointment is purely temporary and they have no right to hold on to the post. Therefore, I do not find anything irregular in the 2nd and 3rd respondents proceeding with fresh recruitment, in pursuance to Ext.P4. However, it will only be proper that the petitioners are retained in service until those newly selected in the temporary posts join their respective posts.

With the above observation, this writ petition is disposed of.

ANTONY DOMINIC, JUDGE.

Rp